

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
SPARTANBURG DIVISION

Anthony D. Richardson, Delinda Ann)  
Turner, )

Case No.: 7:10-cv-02679-JD-JDA

Plaintiffs, )

vs. )

**OPINION & ORDER**

Union Public Safety Department Police,)  
Chief Sam White, Mickey Parker,) )  
Investigator Beatty, Captain Bailey, )

Defendants. )

This matter is before the Court with the Report and Recommendation of United States Magistrate Jacquelyn D. Austin (“Report and Recommendation” or “Report”), made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 of the District of South Carolina.<sup>1</sup> Anthony D. Richardson and Delinda Ann Turner (“Plaintiffs”), proceeding *pro se*, brought this action pursuant to 42 U.S.C. § 1983 alleging claims for an unlawful search and seizure in violation of the Fourth Amendment, unlawful search and seizure pursuant to the Fourth Amendment, Fourteenth Amendment due process violations, violations of the First Amendment, claims for slander, racial discrimination, harassment, violations of equal protection, and various state law claims (e.g., trespass, malicious prosecution, and violations of the S.C. Public Accommodations Act).

The Plaintiffs filed this action *pro se* in the Union County Court of Common Pleas on September 15, 2010, concerning actions arising out of seizures relating to the sale of counterfeit

---

<sup>1</sup> The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

CDs and DVDs. (DE 1-1.) Defendant Union Public Safety Department Police (“UPSD”) removed the action on October 15, 2010. (DE 1.) Plaintiffs filed an Amended Supplemental Complaint on October 21, 2010, naming as additional defendants UPSD officers Chief Sam White (“Chief White”), Investigator Beatty, Mickey Parker (“Investigator Parker”), and Captain Bailey (collectively “Defendants”).<sup>2</sup> (DE 12.)

On December 7, 2021, Defendants filed a Motion for Summary Judgment. (DE 316.) Subsequently, this Court issued an Order pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), advising Plaintiffs of the summary judgment/dismissal procedure and the possible consequences if they failed to respond adequately. (DE 317.) Plaintiffs filed a response opposing the Motion for Summary Judgment on January 3, 2022. (DE 319.) The Report and Recommendation was issued on January 26, 2022, recommending Defendants’ Motion for Summary Judgment be granted on all of Plaintiffs’ federal claims and that the Court retain supplemental jurisdiction of the state law claims and grant summary judgment on the same. (DE 321.)

Plaintiffs filed no objections to the Report and Recommendation. In the absence of objections to the Report and Recommendation, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983). The Court must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005).


Upon review of the Report and Recommendation and the record in this case, the Court adopts the Report and Recommendation and incorporates them herein by reference.

---

<sup>2</sup> This case was stayed off and on for many years as state-court proceedings continued relating to Plaintiffs’ criminal charges as enumerated in the Report and Recommendation. (DE 321, p. 8.)

It is, therefore, **ORDERED** that Defendants' Motion for Summary Judgment (DE 316) is granted.

**IT IS SO ORDERED.**

  
Joseph Dawson, III  
United States District Judge

February 23, 2022  
Greenville, South Carolina

**NOTICE OF RIGHT TO APPEAL**

Plaintiff is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.